

Greenbrier Rail Services

4350 Northwest Front Avenue Portland Oregon 97210 503 972 5700 Fax 503 226 3192

December 7, 2009

#### <u>SENT VIA FEDERAL EXPRESS –</u> OVERNIGHT DELIVERY

Pollution Control Hearings Board 4224 Sixth Avenue SE Bldg. 2, Rowe Six Lacey, WA 98504-0903

Department of Ecology Appeals Coordinator 300 Desmond Drive SE Lacey, WA 98503 RECEIVED

DEC 092009

OFFICE OF DIRECTOR

Re:

Amended Notice of Appeal Per Request, PCHB No. 09-141 Washington Department of Ecology ("Ecology") National Pollutant Discharge Elimination System ("NPDES") and State Waste

Discharge General Permit for Stormwater Discharges Associated With Industrial Activities dated October 21, 2009 ("Industrial Stormwater General Permit")

#### Dear Sir / Madam:

The purpose of this letter is to provide an amended notice of appeal to the Pollution Control Hearings Board ("Board") and to Ecology. As identified in the original notice of appeal, Gunderson Rail Services LLC ("GRS") seeks to appeal the terms and conditions of Section S1.B.3 of the above-referenced Industrial Stormwater General Permit (a copy of the permit is enclosed). This amended notice provides a copy of the permits being appealed for the Rail Services facilities in Chehalis and Tacoma. In addition, this amended notice states the relief sought by GRS. Specifically, GRS seeks an order from the Board stating that Section S1.B.3 is invalid.

The contact address of the appealing party and the applicable facilities are set out below:

Appealing Party:

Gunderson Rail Services LLC Attn: David J. Harvey Director of Environmental, Health, and Safety One Centerpointe Drive, Suite 200

Lake Oswego, OR 97035

Daytime telephone number: 503-598-3805

Fax: 503-684-7553

CC: C Enf. Detabase-Coord.

C Rew/Res - Cost Recovery

File - Fex to ATG

ATG Docket Clerk

Initial: V. C 24009

December 7, 2009 Page 2

RECEIVED

Facilities:

Gunderson Rail Services 139 Habein Road, Chehalis, WA 98532 DEC 092009

DEPARTMENT OF ECOLOGY OFFICE OF DIRECTOR

Gunderson Rail Services 1424 Thorne Road, Tacoma, WA 98421

The grounds upon which GRS considers Section S1.B.3 of Ecology's Industrial Stormwater General Permit unjust and unlawful are set out below.

Section S1.B.3 of the Industrial Stormwater General Permit states that one of the grounds upon which Ecology may require a facility to obtain coverage under the permit is if Ecology determines a facility "conducts industrial activity, or has a SIC code, with stormwater characteristics similar to any industrial activity or SIC code listed in Table 1 in S1.A1." This requirement unlawfully expands the federal NPDES regulation scheme which requires stormwater permits only from those industrial facilities falling under a specific SIC code. In addition, this requirement is too vague and thus gives Ecology's inspectors too much discretion and not enough clear guidance to determine which facilities need an Industrial Stormwater General Permit and which do not.

I have read this petition and it is consistent with CR 11. I attest that the foregoing is true.

Sincerely,

David J. Harvey

David of Harver

DJH:scg Enclosures

cc: Pollution Control Hearings Board (via regular mail)

PO Box 40903

Olympia, WA 98504-0903

Dept. of Ecology, Appeals Coordinator (via regular mail)

PO Box 47608

Olympia, WA 98504-7608



### STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

PO Box 47600 \* Olympia, WA 98504-7600 \* 360-407-6000 711 for Washington Relay Service \* Persons with a speach disability can call 877-823-6341

October 21, 2009

Kevin Stewart

GUNDERSON RAIL SERVICES LLC

139 Habein Rd

Chehalis, WA 98532

Permit Number:

WAR001736

Site Name:

**GUNDERSON RAIL SERVICES** 

Site Address:

139 Habein Rd

Site City: Site County:

Chehalis Lewis

Re: Industrial Stormwater General Permit Coverage

Dear Industrial Stormwater General Permittee:

Ecology issued the final Industrial Stormwater General Permit on October 21, 2009. The new permit becomes effective January 1, 2010. Until January 1, 2010, the old permit remains in effect. Please retain this permit coverage letter with your permit (enclosed), and stormwater pollution prevention plan (SWPPP). It is the official record of permit coverage for your site.

#### New Discharge Monitoring Report

A new discharge monitoring report (DMR) is enclosed. Please make copies of this new DMR form to begin reporting stormwater sampling results collected after January 1, 2010.

#### Permit Overview

The new Industrial Stormwater General Permit has a number of major changes. Please take the time to read the enclosed attachment describing these changes as well as the permit itself. We are planning to provide training on the new permit in the upcoming months. Please check our website to find more information at: <a href="http://www.ecy.wa.gov/programs/wq/stormwater/industrial/index.html">http://www.ecy.wa.gov/programs/wq/stormwater/industrial/index.html</a>.

If you would like to receive email informational messages from Ecology regarding the Industrial Stormwater General Permit, please sign up for our listsery at: <a href="http://listserv.wa.gov/archives/stormwater-ind-gen-permit.html">http://listserv.wa.gov/archives/stormwater-ind-gen-permit.html</a>.

#### Permit Number

In order to be compatible with federal Environmental Protection Agency (EPA) database requirements, your permit number prefix is being changed from "SO3" to "WAR". This has no effect on your permit requirements however; your permit invoices will retain the "SO3" prefix until July 2010 when they will switch to the "WAR" prefix. All other Ecology correspondence will have the "WAR" prefix.



#### **Appeal Options**

The terms and conditions of this general permit, being issued October 21, 2009, may be appealed only by filing an appeal to the Pollution Control Hearings Board and by serving it upon the Department of Ecology at the addresses below. Appeals of the general permit must be made within 30 days of issuance or receipt, whichever is later (see chapter 43.21B RCW). ("RCW" is the Revised Code of Washington). The procedures and requirements for the appeal process are contained in RCW 43.21B.310. An appeal must be filed with:

AND

Pollution Control Hearings Board P.O. Box 40903 Olympia. WA 98504-0903 Department of Ecology Appeals Coordinator P. O. Box 47608 Olympia, WA 98504-7608

The terms and conditions of a general permit, as they apply to an individual discharger, are also appealable within 30 days of the effective date of coverage of that discharger, in accordance with chapter 43.21B RCW. This appeal is limited to the general permit's applicability or non-applicability to a specific discharger.

#### Additional Information

Ecology is committed to providing assistance to you. Please review our web page at <a href="http://www.ecy.wa.gov/programs/wq/stormwater/industrial/index.html">http://www.ecy.wa.gov/programs/wq/stormwater/industrial/index.html</a>. For questions about this letter or the new permit, please contact Joyce Smith at 360-407-6858 or josm461@ecy.wa.gov.

Sincerely,

Bill Moore, P.E.

Program Development Services, Section Manager

Water Quality Program

Enclosures

cc;

Permittee File, Ecology HQ

Fee Unit, Ecology HQ

Mm

# Industrial Stormwater General Permit National Pollutant Discharge Elimination System (NPDES) Discharge Monitoring Report (DMR)

Apr/May/Jun   Jul/Aug/Sept   Oct/Nov/Dec   Sample Results	Sampl SLE SAMPLE SINGLE  RESULT SAMPLE  DATE  DATE  (MM/DD)  (**NO*(circle)	Reporting Period   Ath   2nd   3rd   4th   3rd   Ath   Ath	Reporting Period   Ath     Sunarter (circle one) Year:   3 <sup>rd</sup>   4th     Sunalytical   Laboratory     Quantitation   Guantitation     Level   SinGLE SAMPLE   SINGLE     Sample Results     Collected, conplete   Laboratory     SinGLE SAMPLE   SINGLE     Collected, conplete     Sunalytical   Laboratory     SinGLE SAMPLE   SINGLE     Collected, conplete     Collected (explain in collected (explain in collected)     C	Submit one DMR per sampling point.         Reporting Period           Parameter         Units         Benchmark         Analytical         Laborator         Sample Results           Parameter         Units         Benchmark         Analytical         Laborator         Sample Results           Purbidity         NTU         25         EPA 180.1, Meter         0.5         RESULT         SAMPLE         Intronum an assuable rigon         ConsisteNT           Ph         5.u.         5-9         Meter         0.5         RESULT         N/A         N/A         ConsisteNT           Zinc, Total         Hg/L         117         EPA 200.8         2.5         N/A         N/A         N/A         N/A           Oll Sheen         Yes/No         No visible oil sheen         N/A         N/A         N/A         N/A         N/A           In Soample collected — No stormwater was discharged during normal working hours.         2.0         Yes/No (dircle)         N/A         N/A         N/A           In No sample collected — Stormwater was discharged during normal working hours.         2.0         Xes/No (dircle)         N/A         N/A         N/A           In No sample collected — Stormwater was discharged during normal working hours.         2.0         Xes/No (dircle)         N/A	Reporting Period   Ath   Sample Results
Quarter (circle one) Year:           Apr/May/Jun         Jul/Aug/Sept         Oct/Nov/Dec           al         Laboratory         SINGLE SAMPLE         SING           Actor         SINGLE SAMPLE         SING           Actor         Cocylnov/Dec         DAT           Actor         Cocylnov/Dec         Cocylnov/Dec           Actor         SINGLE SAMPLE         SING           RESULT         SAMF         CMM/           Actor         Cocylnov/Dec         CMM/           Actor         Actor         CMM/           Actor         Actor         CMM/           Actor         Actor         Actor           Actor	SLE SAMPLE SING RESULT SAMF (MM/ sen Present? , / No (circle)	Quarter (circle one) Year:   2nd	Aualytical Laboratory    Method   Laboratory   SINGLE SAMPLE   SAM	Author Apr/May/Jun Jul/Aug/Sept Oct/Nov/Dec    Author Apr/May/Jun Jul/Aug/Sept Oct/Nov/Dec   Laboratory   SINGLE SAMPLE   SING   Level   RESULT   SAMF   RAMMA   Sheen Present?   SAMF   S	Quarter (circle one) Year:  2nd 3rd 4th 2/Mar Apr/May/Jun Jul/Aug/Sept Oct/Nov/Dec  nalytical Laboratory Wethod Quantitation Level RESULT SAMPLE RESULT DAT  MA N/A Sheen Present?  N/A N/A Sheen Present?  PA 200.8 2.5  PA 200.8 2.0  PA 200.8 2.0  arged during normal working hours, but a sample wasn't colabrators who manege the system, or those persons directly responsible for gat resignificant penalties for submitting false information, including the possibility of fine a significant penalties for submitting false information, including the possibility of fine a significant penalties for submitting false information, including the possibility of fine a significant penalties for submitting false information, including the possibility of fine a significant penalties for submitting false information, including the possibility of fine a significant penalties for submitting false information, including the possibility of fine a significant penalties for submitting false information, including the possibility of fine a significant penalties for submitting false information, including the possibility of fine a significant penalties for submitting false information, including the possibility of fine a significant penalties for submitting false information, including the possibility of fine a significant penalties for submitting false information, including the possibility of fine a significant penalties for submitting false information, including the possibility of fine a significant penalties for submitting false information, including the possibility of fine a significant penalties for submitting false information.
2nd   3rd   4th     Apr/May/Jun   Jul/Aug/Sept   Oct/Nov/Dec     Laboratory   SINGLE SAMPLE   SING     Level   SINGLE SAMPLE   SINGLE     Level   SINGLE SAMPLE   SINGLE SAMPLE     Level   SINGLE SAMPLE SAMPLE SAMPLE     Level   SINGLE SAMPLE SAMPLE SAMPLE     Level   SINGLE SAMPLE SAMP	SLE SAMPLE SING RESULT SAMF RESULT CAMP RESULT SAMF (MM/ ten Present? ( No (circle)	Same   Apr/May/Jun   Jul/Aug/Sept   Oct/Nov/Dec	Samp	Same	Apr/May/Jun Jul/Aug/Sept Oct/Nov/Dec
Apr/May/Jun   Jul/Aug/Sept   Oct/Nov/Dec     Laboratory   Sampl     Quantitation   SINGLE SAMPLE   SINGLE     Leve    RESULT   SAMPLE     DATE   DATE     Laboratory   SAMPLE     Leve    RESULT   SAMPLE     DATE   DATE     Laboratory   SAMPLE     Leve    RESULT   SAMPLE     DATE   DATE     MM/DD     Sample   SAMPLE   SAMPLE     DATE   SAMPLE     Amm/DD     Call   Call   SAMPLE     Call   Call   SAMPLE     Call   Call   Call     Call   Call   Call   Call     Call   Call   Call   Call     Call   Call   Call   Call     Call   Call   Call   Call     Call   Call   Call   Call     Call   Call	Sampl Sampl SLE SAMPLE SINGLE BRESULT SAMPLE DATE (MM/DD) Sen Present? (A No (circle)	Sample Isb/Mar       Apr/May/Jun       Jul/Aug/Sept       Oct/Nov/Dec       Sample Isp         Analytical       Laboratory       SINGLE SAMPLE       SINGLE         Method       Couantitation       Couantitation       Couantitation         180.1, Meter       40.5       Council Model         Meter       ±0.5       Council Model         N/A       N/A       Sheen Present?         EPA 200.8       2.5       Yes / No (circle)         EPA 200.8       2.0       Yes / No (circle)         arreged during normal working hours, but a sample wasn't collected (texted (texted texted text	Analytical       Laboratory       Sample In Interpretation       Sample Interpretation       Sample Interpretation         Method       Quantitation       SINGLE SAMPLE       Interpretation         180.1, Meter       ±0.5       (MiM/DD)         PA 200.8       2.5       Sheen Present?         PA 200.8       2.0         EPA 200.8       2.0         arged during normal working hours, but a sample wasn't collected (tead during normal working hours, but a sample wasn't collected (tead during normal working hours, but a sample wasn't collected (tead during normal working hours, but a sample wasn't collected (tead during normal working hours, but a sample wasn't collected (tead during normal working hours, but a sample wasn't collected (tead during normal working hours, but a sample wasn't collected (tead during normal working hours, but a sample wasn't collected (tead during normal working hours, but a sample wasn't collected (tead during normal working hours, but a sample wasn't collected (tead during normal working hours, but a sample wasn't collected (tead during normal working hours, but a sample wasn't collected (tead during normal working hours, but a sample wasn't collected (tead during normal working hours, but a sample wasn't collected (tead during normal working hours, but a sample wasn't collected (tead during normal working hours, but a sample wasn't collected (tead during normal working hours, but a sample wasn't collected (tead during normal working hours)	Apr/May/Jun   Jul/Aug/Sept   Oct/Nov/Dec   Sample   Sample   Method   Laboratory   Sample   SinGLE SAMPLE   SINGLE   Sample   SinGLE SAMPLE   SinGLE   Sample   SinGLE   Sample   Sample   Sample   SinGLE   Sample   SinGLE   Sample   Sam	Apr/May/Jun   Jul/Aug/Sept   Oct/Nov/Dec   Sample   Sam
Laboratory QuantitationSINGLE SAMPLE RESULTSINGLE SAMPLE DATE0.5(MM/DD)40.5(MM/DD)2.5Sheen Present?N/ASheen Present?2.0Yes / No (circle)	Sample SINGLE RESULT SAMPLE DATE DATE (MM/DD)  ten Present? t/ No (circle)	Analytical         Laboratory         Sample Result           Method         Quantitation         SINGLE SAMPLE         SINGLE         AVE           180.1, Meter         0.5         (MM/DD)         Inext           PA 200.8         2.5         Sheen Present?         N           FPA 200.8         2.0         Yes / No (circle)         N           arged during normal working hours, but a sample wasn't collected (explaii	Analytical       Laboratory       Sample Result         Method       Quantitation       SINGLE SAMPLE       SINGLE       AVE         180.1, Meter       ±0.5       (MM/DD)       next         PA 200.8       2.5       Sheen Present?       N         PA 200.8       2.0       Yes / No (circle)       N         PA 200.8       2.0       Yes / No (circle)       N         PA 200.8       2.0       Yes / No (circle)       N         EPA 200.8       2.0       Yes / No (circle)       N         Ged during normal working hours, but a sample wasn't collected (explain explain and working hours, but a sample wasn't collected (explain and samp	Method         Laboratory         Sample Result           Method         Quantitation         SINGLE SAMPLE         SINGLE         AVE           180.1, Meter         ±0.5         (MM/DD)         Inext           180.1, Meter         ±0.5         N         N           PA 200.8         2.5         N         N/A         N/A         N/A           PA 200.8         2.0         Yes / No (circle)         N         N           PA 200.8         2.0         Yes / No (circle)         N         N           I attachments were prepared under my direction or superviscen in accordance with a system designed to assure persons who manage the system, or those persons directly rasponsible for gathering information. It are significant penalties for submitting false information, including the possibility of line and imprisonment for significant penalties for submitting false information, including the possibility of line and imprisonment for	Laboratory   Sample Result
QuantitationSINGLE SAMPLESINGLELevelRESULTSAMPLEDATE(MM/DD)0.5(MM/DD)±0.5(MM/DD)2.5Sheen Present?N/ASheen Present?yes / No (circle)2.0	SLE SAMPLE SINGLE RESULT SAMPLE DATE (MM/DD) ; / No (circle)	Method         Quantitation         SINGLE SAMPLE         SINGLE         AVERAC collected, con collected (explain in commal working hours, but a sample wasn't collected (explain in collected)           Method         Level         RESULT         SAMPLE         iff more than one collected, collected (explain in collected)	Method         Quantitation         SINGLE SAMPLE         SINGLE         AVERAC acoust to an oun acousted, completed, completed, completed, completed, completed, completed, completed, completed (explain in linear place)           180.1, Meter         ±0.5         (MM/DD)         Infmore than one collected (explain in linear place)           180.1, Meter         ±0.5         N/A         N/A         N/A           PA 200.8         2.5         Sheen Present?         N/A           IPA 200.8         2.0         Yes / No (circle)         N/A           IPA 200.8         2.0         Yes / No (circle)         N/A           Isanged during normal working hours, but a sample wasn't collected (explain in linear place)         IPA 200.8         IPA 200.8	Method   Quantitation   SINGLE SAMPLE   SINGLE   AVERAC   Celected, con   Celected   Celected, con   Celected	SINGLE SAMPLE   SINGLE AVERAC   SINGLE   SAMPLE   SINGLE   AVERAC   Collected, con   Coll
Level SINGLE SAMPLE SINGLE  RESULT SAMPLE  DATE  (MM/DD)  0.5  ±0.5  2.5  N/A Sheen Present?  Ves / No (circle)  2.0	SLE SAMPLE SINGLE RESULT SAMPLE DATE (MM/DD) sen Present?	SINGLE SAMPLE   SINGLE AVERAGE   SINGLE   AVERAGE   RESULT   SAMPLE   Collected, component and collected, component and collected (explain in a sample wasn't collected (explain in a	SINGLE SAMPLE   SINGLE AVERAGE   RESULT   SAMPLE   Ill more than one collected, completed, completed, completed, completed, completed, completed completed (and in more than one south of the collected (explain in larged during normal working hours, but a sample wasn't collected (explain in larged during normal working hours, but a sample wasn't collected (explain in larged during normal working hours, but a sample wasn't collected (explain in larged during normal working hours, but a sample wasn't collected (explain in larged during normal working hours, but a sample wasn't collected (explain in larged during normal working hours, but a sample wasn't collected (explain in larged during normal working hours, but a sample wasn't collected (explain in larged during normal working hours, but a sample wasn't collected (explain in larged during normal working hours, but a sample wasn't collected (explain in larged during normal working hours, but a sample wasn't collected (explain in larged during normal working hours, but a sample wasn't collected (explain in larged during normal working hours, but a sample wasn't collected (explain in larged during normal working hours, but a sample wasn't collected (explain in larged during normal working hours)	SINGLE SAMPLE   SINGLE AVERAGE   SINGLE   AVERAGE   SINGLE   AVERAGE   SINGLE   Collected, compared to the sample   Collected, compared to the system; collected, compared to the system; contains a sample   Collected, compared to the system; collected (explain in person or persons who manage the system; or those persons directly responsible for gathering information, including the possibility of fine and imprisonment for knowled work in solutions the possibility of fine and imprisonment for knowled work in solutions the possibility of fine and imprisonment for knowled work in the contains or significant penalties for submitting false information, including the possibility of fine and imprisonment for knowled.	SINGLE SAMPLE   SINGLE AVERAGE   SINGLE AVERAGE   SINGLE SAMPLE   Iff more than one collected, composed, composed to the sample   SAMPLE   Iff more than one collected, composed to the sample   SAMPLE   Iff more than one collected, composed to the sample   SAMPLE   Iff more than one collected, composed to the sample   SAMPLE   Iff more than one collected (and in the sample was not to the sample was not sam
## RESULT SAMPLE    DATE   DATE	RESULT SAMPLE DATE (MM/DD) ten Present? t/ No (circle)	RESULT   SAMPLE	RESULT   SAMPLE	RESULT SAMPLE III more than one collected, some page.  180.1, Meter 0.5  PA 200.8 2.5  N/A N/A Sheen Present? N/A Yes / No (circle)  PA 200.8 2.0  PA 200.8 2.0  PA 200.8 2.0  Right a sample wasn't collected (explain in incordance with a system designed to assure that person or person or person or persons who manage the system, or those persons directly rasponsible for gathering information, including the possibility of line and imprisonment for knowled who was significant penalties for submitting false information, including the possibility of line and imprisonment for knowled work in the information, including the possibility of line and imprisonment for knowled who was significant penalties for submitting false information, including the possibility of line and imprisonment for knowled.	RESULT SAMPLE In more man one collected, compared, compa
0.5 ±0.5 2.5 N/A Sheen Present? Yes / No (circle)	(MM/DD) ten Present? // No (circle)	180.1, Meter         0.5         (MM/DD)	180.1, Meter       0.5       (MM/DD)         Meter       ±0.5       N/A         PA 200.8       2.5       N/A         PA 200.8       2.0       N/A         PA 200.8       2.0       N/A         arged during normal working hours.       ed during normal working hours, but a sample wasn't collected (explain in the collected (explain i	180.1, Meter 0.5  Meter ±0.5  PA 200.8 2.5  N/A N/A Sheen Present?  N/A Yes / No (circle)  PA 200.8 2.0  PA 200.8 2.0  PA 200.8 2.0  I arged during normal working hours.  ed during normal working hours, but a sample wasn't collected (explain in the person or persons who manage the system, or those persons directly responsible for gathering information. the inition are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing for know	Meter ±0.5  PA 200.8 2.5  N/A N/A Sheen Present?  Ages / No (circle)  Ages / No (circle)  Age during normal working hours.  Ad during normal working hours, but a sample wasn't collected (explain in attachments were prepared under my direction or supervision in accordance with a system designed to assure that persons who manage the system, or those persons directly responsible for gathering information, the information or significant penalties for submitting false information, including the possibility of fine and imprisonment for known
40.5 2.5 2.5 N/A Sheen Present? Yes / No (circle)	en Present? ;/ No (circle)	180.1, Meter         ±0.5         N/A           EPA 200.8         2.5         N/A           N/A         N/A         Sheen Present?         N/A           EPA 200.8         2.0         Yes / No (circle)         N/A           arged during normal working hours.         2.0         Arged during normal working hours.         Arged during normal working hours, but a sample wasn't collected (explain in ormal working hours, but a sample wasn't collected (explain in ormal working hours, but a sample wasn't collected (explain in ormal working hours, but a sample wasn't collected (explain in ormal working hours, but a sample wasn't collected (explain in ormal working hours, but a sample wasn't collected (explain in ormal working hours, but a sample wasn't collected (explain in ormal working hours, but a sample wasn't collected (explain in ormal working hours, but a sample wasn't collected (explain in ormal working hours, but a sample wasn't collected (explain in ormal working hours, but a sample wasn't collected (explain in ormal working hours, but a sample wasn't collected (explain in ormal working hours, but a sample wasn't collected (explain in ormal working hours, but a sample wasn't collected (explain in ormal working hours, but a sample wasn't collected (explain in ormal working hours, but a sample wasn't collected (explain in ormal working hours, but a sample wasn't collected (explain in ormal working hours, but a sample wasn't collected (explain in ormal working hours)	180.1, Meter         0.5         N/A         N/A <t< td=""><td>180.1, Meter 0.5  Meter ±0.5  PA 200.8 2.5  N/A N/A Sheen Present?  N/A Yes / No (circle)  PA 200.8 2.0  PA 200.8 2.0  Area / No (circle)  PA 200.8 2.0  arged during normal working hours.  ed during normal working hours, but a sample wasn't collected (explain in the person or persons who manage the system, or those persons directly responsible for gathering information. The hido are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing the</td><td>Meter ±0.5 PA 200.8 2.5 N/A N/A N/A Sheen Present? N/A Yes / No (circle) N/A A 200.8 2.0  Arged during normal working hours. Attachments were prepared under my direction of supervision in accordance with a system designed to assure that a preson who manage the system, or those persons directly responsible for gathening information, the Indian ray significant penalties for submitting false information, including the possibility of line and imprisonment for known</td></t<>	180.1, Meter 0.5  Meter ±0.5  PA 200.8 2.5  N/A N/A Sheen Present?  N/A Yes / No (circle)  PA 200.8 2.0  PA 200.8 2.0  Area / No (circle)  PA 200.8 2.0  arged during normal working hours.  ed during normal working hours, but a sample wasn't collected (explain in the person or persons who manage the system, or those persons directly responsible for gathering information. The hido are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing the	Meter ±0.5 PA 200.8 2.5 N/A N/A N/A Sheen Present? N/A Yes / No (circle) N/A A 200.8 2.0  Arged during normal working hours. Attachments were prepared under my direction of supervision in accordance with a system designed to assure that a preson who manage the system, or those persons directly responsible for gathening information, the Indian ray significant penalties for submitting false information, including the possibility of line and imprisonment for known
±0.5  2.5  N/A Sheen Present?  Yes / No (circle)	sen Present? / No (circle)	Meter         ±0.5         N/A         N/A         N/A           EPA 200.8         2.5         N/A         N/A         N/A           EPA 200.8         2.0         Yes / No (circle)         N/A           narged during normal working hours.         2.0         Argument of the sample wasn't collected (explain in companion of the collected (explain in co	Meter       ±0.5       N/A       N/A       N/A       N/A         PA 200.8       2.0       Yes / No (circle)       N/A         PA 200.8       2.0       N/A       N/A         Iarged during normal working hours, ged during normal working hours, but a sample wasn't collected (explain in companion of the collected (explain in collected in collected (explain in collected in collected in collected in collected i	Meter       ±0.5       N/A         PA 200.8       2.5       Sheen Present?       N/A         N/A       Yes / No (circle)       N/A         PA 200.8       2.0       N/A         arged during normal working hours.       ed during normal working hours.         ed during normal working hours, but a sample wasn't collected (explain in created during normal working hours, but a sample wasn't collected (explain in created during normal working hours, but a sample wasn't collected (explain in created during hours) are significant penalties for submitting false information, including the possibility of line and imprisonment for known are significant penalties for submitting false information, including the possibility of line and imprisonment for known	Meter ±0.5  N/A Sheen Present? N/A Sheen Present? N/A Yes / No (circle)  PA 200.8 2.0  Staged during normal working hours.  Ad during normal working hours.  Attachments were prepared under my direction or supervision in accordance with a system dosigned to assure that the persons who manage the system, or those persons directly responsible for gathering information, the information are significant pernant for showing the possibility of fine and imprisonment for knowing in the information, including the possibility of fine and imprisonment for knowing in the information.
2.5 Sheen Present? Yes / No {circle}	en Present?	EPA 200.8 2.5 Sheen Present? N/A Yes / No (circle)  EPA 200.8 2.0 Area a sample wasn't collected (explain in co	PPA 200.8 2.5 Sheen Present? N/A Sheen Present? N/A Yes / No (circle)  PPA 200.8 2.0 In a sample wasn't collected (explain in collected)	PA 200.8  N/A  N/A  N/A  Sheen Present?  Yes / No (circle)  PA 200.8  2.0  arged during normal working hours.  ed during normal working hours, but a sample wasn't collected (explain in compared under my direction or supervisson in accordance with a system designed to assure that que person or persons who manage the system, or those persons directly responsible for gathering information, the Informate are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing	N/A Sheen Present? N/A N/A Sheen Present? N/A Sheen Present Should Sheel Shee
N/A Sheen Present? Yes / No (circle)	en Present?	N/A Sheen Present? N/A N/A Sheen Present? N/A Yes / No (circle)  EPA 200.8 2.0  Targed during normal working hours.  Sed during normal working hours, but a sample wasn't collected (explain in co	N/A Sheen Present? N/A N/A Sheen Present? N/A Yes / No (circle)  EPA 200.8 2.0 an angle during normal working hours. Sed during normal working hours, but a sample wasn't collected (explain in collected)	N/A N/A Sheen Present? N/A N/A Sheen Present?  PA 200.8 2.0 Sarged during normal working hours.  ed during normal working hours, but a sample wasn't collected (explain in contract of the system designed to assure that quere son or person or perso	N/A N/A Sheen Present? N/A N/A Pes / No (circle) PA 200.8 2.0  Irged during normal working hours.  Attachments were prepared under my direction or supervision in accordance with a system dissigned to assure that upperson or persons who manage the system, or those persons directly responsible for gathening information, the Informer is significant penalties for submitting false Information, including the possibility of fine and imprisonment for knowing
2.0	PA 200.8 2.0 Yes / No (circle)	EPA 200.8 2.0 Yes / No (circle)  arged during normal working hours.	Pes / No (circle)  PPA 200.8  2.0  larged during normal working hours.  ged during normal working hours, but a sample wasn't collected (explain in co	PA 200.8  2.0  arged during normal working hours.  ed during normal working hours, but a sample wasn't collected (explain in collataduring were prepared under my direction of supervision in accordance with a system designed to assure that que person or persons who manage the system, or those persons directly responsible for gathering information. The informare significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing	PA 200.8  2.0  arged during normal working hours.  at during normal working hours, but a sample wasn't collected (explain in contaminate were prepared under my direction or supervision in accordance with a system designed to assure that quartican or persons who manage the system, or those persons directly responsible for gathering information, the information significant penaltics for submitting false information, including the possibility of fine and imprisonment for knowing
	PA 200.8 2.0 aread during normal working hours	EPA 200.8 2.0 and a sample wasn't collected (explain in co	EPA 200.8 2.0 and some and som	PA 200.8  2.0  arged during normal working hours.  ed during normal working hours, but a sample wasn't collected (explain in colletted during normal working hours, but a sample wasn't collected (explain in colletted during my direction or supervision in accordance with a system designed to assure that que person or persons who manage the system, or those persons directly responsible for gathering information, the information are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing	arged during normal working hours.  ed during normal working hours, but a sample wasn't collected (explain in contraction or supervision in accordance with a system designed to assure that quantization or persons who manage the system, or those persons directly responsible for gathering information, the information pension or persons who manage the system, or those persons directly responsible for gathering information, the information or significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing
	arged during normal working hours	arged during normal working hours. ed during normal working hours, but a sample wasn't collected (explain in co	arged during normal working hours. ed during normal working hours, but a sample wasn't collected (explain in co	arged during normal working hours.  ed during normal working hours, but a sample wasn't collected (explain in collations or supervision in accordance with a system designed to assure that que person or persons who manage the system, or those persons directly responsible for gathering information, the Informate significant penalties for submitting false Information, including the possibility of fine and imprisonment for knowing	arged during normal working hours.  ed during normal working hours, but a sample wasn't collected (explain in contraction or supervision in accordance with a system designed to assure that que person or persons who manage the system, or those persons directly responsible for gathering information, the information or significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing

# Industrial Stormwater General Permit National Pollutant Discharge Elimination System (NPDES) Discharge Monitoring Report (DMR)

# ADDITIONAL SAMPLING LOG

If you collect more than one sample per quarter, report the results in the table below. Include the date the sample was collected, and the results of the analysis. Calculate the average (mean) for each parameter (except pH and oil sheen) and report the value in the AVERAGE column on the front page. Attach additional sheets if necessary.

The state of the s			
Site Name: GUNDERSON RAIL SERVICES	RVICES	WAR001736	
Site Address: 139 Habein Rd		Permit Number	Sampling Point
City: Chehalis	County: Lewis		

Oil Sheen Present? Copper, Total (µg/L) (circle one)	Yes / No															
Zinc, Total (µg/L)																
рн (s.u.)														٠		
Turbidity (NTU)																
Sample Date (MM/DD/YYYY)									-							

Issuance Date: Effective Date:

October 21, 2009 January 1, 2010 January 1, 2015

Expiration Date:

## INDUSTRIAL STORMWATER GENERAL PERMIT

A National Pollutant Discharge Elimination System (NPDES) and State Waste Discharge General Permit for Stormwater Discharges Associated With Industrial Activities

> State of Washington Department of Ecology Olympia, Washington 98504-7600

In compliance with the provisions of
The State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington
and
The Federal Water Pollution Control Act
(The Clean Water Act)

Title 33 United States Code, Section 1251 et seq.

Until this permit expires, is modified or revoked, Permittees that have properly obtained coverage under this general permit are authorized to discharge in accordance with the special and general conditions which follow.

Kelly Susewind, P.E., P.G.

Water Quality Program Manager

Washington State Department of Ecology



#### APPENDIX 3 - SWPPP CERTIFICATION FORM

The Permittee shall use this form to sign and certify that the Stormwater Pollution Prevention Plan (SWPPP) is complete, accurate and in compliance with Conditions S3 and S8 of the Industrial Stormwater General Permit.

- A SWPPP certification form needs to be completed and attached to all SWPPPs.
- Each time a Level 1, 2, or 3 Corrective Action is required, this form needs to be re-signed and re-certified by the Permittee, and attached to the SWPPP.

Is this SWPPP	certification in response to a Level 1, 2 or 3 Correctiv	ve Action?  Yes  No
If Yes:		
à	Type of Corrective Action?: Level 1 Level 2 Level 2 Level 2	vel 3
•	Date SWPPP update/revision completed:	
supervision in a and evaluate in on my inquiry of this SWPPP is, compliance wit the applicable of	penalty of law that this SWPPP and all attachments were accordance with a system designed to assure that qualifie formation to determine compliance with the Industrial Sto of the person or persons who are responsible for stormwath to the best of my knowledge and belief, true, accurate, as in Permit Conditions S3 and S8, including the correct Best Stormwater Management Manual. I am aware that there are information, including the possibility of fine and imprison	d personnel properly gather rmwater General Permit. Based ter management at my facility, and complete, and in full a Management Practices from tre significant penalties for
Operator's Pr	nted Name *	Title
Operator's Sig	viatura <sup>4</sup>	Date
Operator a dig	procure	

\* Federal regulations require this document to be signed as follows:

For a corporation, by a principal executive officer of at least the level of vice president; For a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or For a municipality, state, federal, or other public facility, by either a principal executive officer or ranking elected official.

This document shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

- 1. The authorization is made in writing by a person described above and submitted to the Ecology.
- The authorization specifies either an individual or a position having responsibility for the overall
  operation of the regulated facility, such as the position of plant manager, superintendent, position
  of equivalent responsibility, or an individual or position having overall responsibility for
  environmental matters.

Changes to authorization. If an authorization under number 2 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of number 2 above shall be submitted to Ecology prior to, or together with, any reports, information, or applications to be signed by an authorized representative.

### Summary of Major Changes to the Industrial Stormwater General Permit Issued October 21, 2009 and Effective January 1, 2009

#### 1. Condition S3. Stormwater Pollution Prevention Plan (SWPPP)

Mandatory BMPs shall be implemented no later than July 1, 2010 (See Permit for full detail). The Permittee may omit individual BMPs if site conditions render the BMP unnecessary, infeasible, or the Permittee provides alternative and equally effective BMPs; and justifies the omission in the SWPPP.

#### • Operational Source Control BMPs:

Vacuum paved surfaces with a vacuum sweeper (or sweeper w/ vacuum attachment) 1/quarter.

Minimize stormwater contamination from dust. Inspect and maintain bag houses monthly.

Keep all dumpsters under cover or keep dumpster lid closed when not in use.

Clean catch basins when at capacity.

Inspect all equipment and vehicles for leaking fluids. Take leaking equipment and vehicles out of service or prevent leaks until repaired.

Store all chemical liquids, fluids, and petroleum products on an impervious surface with containment that is capable of containing 10% of the total enclosed tank volume or 110% of the volume contained in the largest tank, whichever is greater.

Prevent precipitation from accumulating in containment areas.

Locate spill kits within 25 feet of all stationary fueling stations, fuel transfer stations, and mobile fueling units. Permit defines minimum requirements for spill kits.

Do not lock shut-off fueling nozzles in the open position. Do not "top-off" tanks being refueled.

During fueling block, plug or cover storm drains that receive runoff from areas where fueling.

Use drip pans or equivalent containment measures during all petroleum transfer operations.

Maintain a spill log that documents chemical and petroleum spills.

#### • Structural Source Control BMPs:

Use grading, berming, or curbing to prevent runoff of contaminated stormwater flows and divert run-on away from manufacturing, processing, and material storage areas.

Perform all cleaning operations indoors, under cover, or in bermed areas that prevent stormwater runoff and run-on and capture any overspray. Drain wash water to a collection system for further treatment or storage.

#### Condition S3. SWPPP Signature/Certification

The Permittee must sign and certify the SWPPP and any revisions.

#### 2. Condition S4. Sampling

- Sample each distinct point of discharge off-site; except "substantially identical outfalls".
- Sample within the first 12 hours of stormwater discharge or as soon as practicable after the first 12 hours.
- Sample the stormwater discharge from the first fall storm event, after October 1<sup>st</sup>.
- Consistent attainment requires that four consecutive quarterly samples (after January 1, 2010) be equal to or less than the benchmark value; or for pH, within the range of 5.0 9.0.

#### 3. Condition S5. Benchmarks and Effluent Limitations

- All facilities sample copper (1/quarter): Western WA= 14 ug/L, Eastern WA= 32 ug/L
- All facilities inspect discharge locations for "visible oil sheen"; oil & grease deleted.
- pH range changed from 6.0 9.0 standard units to 5.0 9.0 standard units.
- Various changes to "Additional Benchmarks and Sampling Requirements Applicable to Specific Industries". See Permit for new benchmarks and parameters.

#### 4. Condition S6. Discharges to 303(d)-Listed Waters

Numeric effluent limits now apply to facilities with discharges to 303(d)-listed impaired waterbodies (Category 5). Compliance schedules are available. See Permit for details.

#### 5. Condition S7. Inspections

Qualified personnel conduct and document visual inspections of the site monthly. Dry season and annual comprehensive inspection eliminated.

#### 6. Condition S8. Corrective Actions

<u>Level 2 and 3</u>: Permittees that exceed benchmark value (for a single parameter) for any two quarters during a calendar year complete a Level 2 Corrective Action (Structural Source Control BMPs). Permittees that exceed benchmark value (for a single parameter) for any three quarters during a calendar year complete a Level 3 Corrective Action (Treatment BMPs).

Revise SWPPP/complete installation by September 30<sup>th</sup> the following year. Time
extensions/waivers may be requested. All corrective actions documented in Annual Report;
Level 2/3 Source Control Reports eliminated.

A licensed professional engineer, geologist, hydrogeologist, or certified professional in storm water quality (CPSWQ) must design and stamp the portion of the SWPPP that addresses (Level 3) stormwater treatment structures or processes. May be waived on a case-by-case basis.

#### 7. Condition S9. Reporting

S9. All Permittee must submit an **Annual Report** to the Department of Ecology no later than May 15<sup>th</sup> of each year (except 2010). Level 1, 2, and 3 corrective actions are summarized in Annual Report.



#### STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

FO Rox 47'600 • Olympia, WA 98504-7600 • 360-407-6000 711 for Washington Relay Service \* Persons with a speech disability can call 877-833-6341

October 21, 2009

Tim Burnett

GREENBRIAR RAIL SERVICES

1424 Thome Road

Tacoma, WA 98421

Permit Number: WAR010430

Site Name:

**GUNDERSON WHEEL** 

Site Address:

1424 Thorne Road

Site City: Site County:

Tacoma Pierce

Re: Industrial Stormwater General Permit Coverage

Dear Industrial Stormwater General Permittee:

Ecology issued the final Industrial Stormwater General Permit on October 21, 2009. The new permit becomes effective January 1, 2010. Until January 1, 2010, the old permit remains in effect. Please retain this permit coverage letter with your permit (enclosed), and stormwater pollution prevention plan (SWPPP). It is the official record of permit coverage for your site.

#### New Discharge Monitoring Report

A new discharge monitoring report (DMR) is enclosed. Please make copies of this new DMR form to begin reporting stormwater sampling results collected after January 1, 2010.

#### Permit Overview

The new Industrial Stormwater General Permit has a number of major changes. Please take the time to read the enclosed attachment describing these changes as well as the permit itself. We are planning to provide training on the new permit in the upcoming months. Please check our website to find more information at: http://www.ecv.wa.gov/programs/wa/stormwater/industrial/index.html.

If you would like to receive email informational messages from Ecology regarding the Industrial Stormwater General Permit, please sign up for our listsery at: http://listserv.wa.gov/archives/stormwater-ind-gen-permit.html.

#### Permit Number

In order to be compatible with federal Environmental Protection Agency (EPA) database requirements, your permit number prefix is being changed from "SO3" to "WAR". This has no effect on your permit requirements however; your permit invoices will retain the "SO3" prefix until July 2010 when they will switch to the "WAR" prefix. All other Ecology correspondence will have the "WAR" prefix.

#### **Appeal Options**

The terms and conditions of this general permit, being issued October 21, 2009, may be appealed only by filing an appeal to the Pollution Control Hearings Board and by serving it upon the Department of Ecology at the addresses below. Appeals of the general permit must be made within 30 days of issuance or receipt, whichever is later (see chapter 43.21B RCW). ("RCW" is the Revised Code of Washington). The procedures and requirements for the appeal process are contained in RCW 43.21B.310. An appeal must be filed with:

Pollution Control Hearings Board AND P.O. Box 40903 Olympia, WA 98504-0903

Department of Ecology Appeals Coordinator P. O. Box 47608 Olympia, WA 98504-7608

The terms and conditions of a general permit, as they apply to an individual discharger, are also appealable within 30 days of the effective date of coverage of that discharger, in accordance with chapter 43.21B RCW. This appeal is limited to the general permit's applicability or non-applicability to a specific discharger.

#### Additional Information

Ecology is committed to providing assistance to you. Please review our web page at <a href="http://www.ecy.wa.gov/programs/wq/stormwater/industrial/index.html">http://www.ecy.wa.gov/programs/wq/stormwater/industrial/index.html</a>. For questions about this letter or the new permit, please contact Josh Klimek at 360-407-7451 or jokl461@ecy.wa.gov.

Sincerely,

Bill Moore, P.E.

Program Development Services, Section Manager

Water Quality Program

Enclosures

cc:

Permittee File, Ecology HQ Fee Unit, Ecology HQ

II m

# Industrial Stormwater General Permit National Pollutant Discharge Elimination System (NPDES) Discharge Monitoring Report (DWR)

Site Name: GUNDERSON WHEEL	INDERSC	ON WHEEL			WAR010430		***************************************	
Site Address:	1424 Thc	1424 Thorne Road	***		Permit Number		Sampling Point	3 Point
City: Tacoma	A STATE OF THE PROPERTY OF THE	County:	ty: Pierce	Z S de hikes out q	The state of the s	The state of the s	- A spirate de la company de l	The state of the s
Submit one D	MR per :	Submit one DMR per sampling point.	***************************************	Reporting Period	The state of the s	*	*	
				Quarter (circle one) Year:	Year:			
		]	15 CT	2 <sup>nd</sup> 3 <sup>rd</sup>	411			
		7	Jan/Feb/Mar Apr/N	Apr/May/Jun   Jul/Aug/Sept	3/Sept   Oct/Nov/Dec	BC .		
Parameter	Units	Benchmark	Analytical	Laboratory		Samp	Sample Results	
		Value	Method	Quantitation				nors _ s
		· · · · · · · · · · · · · · · · · · ·		Level	SINGLE SAMPLE	SINGLE	AVERAGE	CONSISTENT
** 1/0°, Yannan	-دادورونان				RESULT	SAMPLE	(if more then one sample	ATTAINMENT?
		Promision of the Association of	MC-Mah		7511675111	DATE	additional sampling log on	(Condition 54.8.5)
Turbidity	STR	25	EPA 180.1, Meter	0.5	101111111111111111111111111111111111111	lu h		
	H. III							3
H¢.	S.U.	ርክ 'ነሳ	Meter		***************************************		A/N	
Zinc, Total	hg/L	277	EPA 200.8	2.5	And the state of t	<del>*** *** *** ***********************</del>	A COLUMN TO THE PROPERTY OF TH	The state of the s
Oil Sheen	Yes/No	No visible oil sheen	N/A	N/A	Sheen Present?	and it describes the second se	N/A	N/A
				•	Yes / Na (circle)		·	
Copper, Total	HE/L	Western WA; 14	EPA 200,8	2,0				
TTARKET		Eastern WA: 32	MCHUT LOCAL					
No sample c	ollected	No sample collected - No stormwater was discharged during normal working hours.	discharged during n	ormal working h	ours.	man 1779 C.A. interpretament describer	TOTAL PARTY Assembly	A PART AND
No sample c	ollected	No sample collected - Stormwater was disc	discharged during normal working hours, but a sample wasn't collected (explain in comments section).	nal working hour	s, but a sample was	n't collecte	d (explain in comme	ents section).
ADDITIONAL COMMENTS:	MMENT	Z.	PRODULA meraparananananan EMODILANG in-Annan	The constant and the first and	Andreas and the special specia	The state of the s	Cappellabelth.downwww.www.upppel.copiedia de	THE PROPERTY OF THE PROPERTY O
Cettification Statemen) gathered and evaluated my knowledge and beli	I certify und I the laforms of, true, accu	Catification Statement I certify under penalty of tww, that this document and all attachments were propared under my direction or supervision has accordance with a system device to a stare that qualified pussonnel property general accordance and evaluated the information, the information submitted fit, to the best of the passibility of fine and imprisonment for knowing violations. In an aware that there are significant penalties false information, including the possibility of fine and imprisonment for knowing violations.	tument and all attachments were propared under my drection or supervision he accordance with a system distigued to assure that qualified pussonnel property inquiry of the person or persons who manees the system, or shore persons directly responsible for gathering information, the information aubmitted is, to the lare that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.	epared undar my directior o mainega the system, or t s for submitting false infer	or supervision in accordance v hose pecsons directly rasponsit mution, including the possibilit	with a system deyl sie for gathering it y of fine and impr	gned to assere that qualified p iformation, the information su isopment for knowing violatio	ezsonnel properly breitted &, to the best of As.
		30-m						
Name / Title (printed)	rinted)	TO ALLEAN TO THE ACT OF THE ACT O	Signature (I	Signature (not valid unless signed). See P Condition G2 for signature requirements.	igned). See Permit equirements.	Date	Date Signed	
		printing that any other properties are a second to the sec				**************************************		Commence of the Section of the Secti

# Industrial Stormwater General Permit National Pollutant Discharge Elimination System (NPDES) Discharge Monitoring Report (DMR)

## ADDITIONAL SAMPLING LOG

If you collect more than one sample per quarter, report the results in the table below. Include the date the sample was collected, and the results of the analysis. Calculate the average (mean) for each parameter (except pH and oil sheen) and report the value in the AVERAGE column on the front page. Attach additional sheets if necessary.

		4211114 (41) 11111111 (11)	
Site Name: GUNDERSON WHEEL		WAR010430	
Site Address: 1424 Thorne Road	Alternation :	Permit Number	Sampling Point
City: Tacoma	County: Pierce		Parallel III.

Sample Date	Turbidity (NTU)	pH (s.u.)	Zinc, Total (µg/L)	Oil Sheen Present?	Copper, Total (µg/L)
(WW)/DD/XXX)		-		(circle ane)	
				Yes / No	Title
			The state of the s	Yes / No	
			THE REAL PROPERTY OF THE PROPE	Yes / No	
		nurzna-	,	Yes / No	
				Yes / No	200.00
			. The state of the	Yes / No	
	A GOLD TO THE TOTAL THE TO			Yes / No	TO THE LABORATION OF THE PARTY
				Yes / No	
				Yes / No	nost.
TO STATE OF THE ST				Yes / No	
				Yes / No	7
				Yes / No	Text 40 to 47 to 4
		The state of the s		Yes / No	
	-	37-16-16-16-16-16-16-16-16-16-16-16-16-16-		Yes / No	TITLE OF THE SECTION AND ADDRESS OF THE SECTION
		MITTER TO TIZE		Yes/Na	TO THE PARTY HER
	· ·			Yes / No	

Issuance Date: Effective Date:

October 21, 2009 January 1, 2010 January 1, 2015

Expiration Date:

### INDUSTRIAL STORMWATER GENERAL PERMIT

A National Pollutant Discharge Elimination System (NPDES) and State Waste Discharge General Permit for Stormwater Discharges Associated With Industrial Activities

> State of Washington Department of Ecology Olympia, Washington 98504-7600

In compliance with the provisions of
The State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington
and

The Federal Water Pollution Control Act
(The Clean Water Act)
Title 33 United States Code, Section 1251 et seq.

Until this permit expires, is modified or revoked, Permittees that have properly obtained coverage under this general permit are authorized to discharge in accordance with the special and general conditions which follow.

Kelly Susewind, P.E., P.G.

Water Quality Program Manager

Washington State Department of Ecology

#### APPENDIX 3 - SWPPP CERTIFICATION FORM

The Permittee shall use this form to sign and certify that the Stormwater Pollution Prevention Plan (SWPPP) is complete, accurate and in compliance with Conditions S3 and S8 of the Industrial Stormwater General Permit.

- A SWPPP certification form needs to be completed and attached to all SWPPPs.
- Each time a Level 1, 2, or 3 Corrective Action is required, this form needs to be re-signed and re-certified by the Permittee, and attached to the SWPPP.

ls this SWPP	P certification in response to a Level 1, 2 or 3 Correcti	ve Action? ∐Yes
If <u>Yes</u> :		
*	Type of Corrective Action?: Level 1 Level 2 Le	evel 3
. #	Date SWPPP update/revision completed:	
supervision in and evaluate i on my inquiry this SWPPP is compliance wi the applicable	r penalty of law that this SWPPP and all attachments were accordance with a system designed to assure that qualific information to determine compliance with the Industrial Stoof the person or persons who are responsible for stormway, to the best of my knowledge and belief, true, accurate, atthe Permit Conditions S3 and S8, including the correct Bestormwater Management Manual. I am aware that there are information, including the possibility of fine and imprisor	ed personnel properly gather ormwater General Permit. Based atter management at my facility, and complete, and in full at Management Practices from are significant penalties for
Operator's P	rinted Name *	Tide
Operator's S	ignature *	Date

\* Federal regulations require this document to be signed as follows:

For a corporation, by a principal executive officer of at least the level of vice president; For a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or For a municipality, state, federal, or other public facility, by either a principal executive officer or ranking elected official.

This document shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

- 1. The authorization is made in writing by a person described above and submitted to the Ecology.
- The authorization specifies either an individual or a position having responsibility for the overall
  operation of the regulated facility, such as the position of plant manager, superintendent, position
  of equivalent responsibility, or an individual or position having overall responsibility for
  environmental matters.

Changes to authorization. If an authorization under number 2 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of number 2 above shall be submitted to Ecology prior to, or together with, any reports, information, or applications to be signed by an authorized representative.

### Summary of Major Changes to the Industrial Stormwater General Permit Issued October 21, 2009 and Effective January 1, 2009

#### 1. Condition S3. Stormwater Pollution Prevention Plan (SWPPP)

Mandatory BMPs shall be implemented no later than July 1, 2010 (See Permit for full detail). The Permittee may omit individual BMPs if site conditions render the BMP unnecessary, infeasible, or the Permittee provides alternative and equally effective BMPs; and justifies the omission in the SWPPP.

#### Operational Source Control BMPs:

Vacuum paved surfaces with a vacuum sweeper (or sweeper w/ vacuum attachment) 1/quarter.

Minimize stormwater contamination from dust. Inspect and maintain bag houses monthly.

Keep all dumpsters under cover or keep dumpster lid closed when not in use.

Clean catch basins when at capacity.

Inspect all equipment and vehicles for leaking fluids. Take leaking equipment and vehicles out of service or prevent leaks until repaired.

Store all chemical liquids, fluids, and petroleum products on an impervious surface with containment that is capable of containing 10% of the total enclosed tank volume or 110% of the volume contained in the largest tank, whichever is greater.

Prevent precipitation from accumulating in containment areas.

Locate spill kits within 25 feet of all stationary fueling stations, fuel transfer stations, and mobile fueling units. Permit defines minimum requirements for spill kits.

Do not lock shut-off fueling nozzles in the open position. Do not "top-off" tanks being refueled.

During fueling block, plug or cover storm drains that receive runoff from areas where fueling.

Use drip pans or equivalent containment measures during all petroleum transfer operations.

Maintain a spill log that documents chemical and petroleum spills.

#### Structural Source Control BMPs:

Use grading, berming, or curbing to prevent runoff of contaminated stormwater flows and divert run-on away from manufacturing, processing, and material storage areas.

Perform all cleaning operations indoors, under cover, or in bermed areas that prevent stormwater runoff and run-on and capture any overspray. Drain wash water to a collection system for further treatment or storage.

#### Condition S3. SWPPP Signature/Certification

The Permittee must sign and certify the SWPPP and any revisions.

#### 2. Condition S4. Sampling

- Sample each distinct point of discharge off-site; except "substantially identical outfalls".
- Sample within the first 12 hours of stormwater discharge or as soon as practicable after the first 12 hours.
- Sample the stormwater discharge from the first fall storm event, after October 1<sup>st</sup>.
- Consistent attainment requires that four consecutive quarterly samples (after January 1, 2010) be equal to or less than the benchmark value; or for pH, within the range of 5.0 9.0.

#### 3. Condition S5. Benchmarks and Effluent Limitations

- All facilities sample copper (1/quarter): Western WA= 14 ug/L, Eastern WA= 32 ug/L
- All facilities inspect discharge locations for "visible oil sheen"; oil & grease deleted.
- pH range changed from 6.0 9.0 standard units to 5.0 9.0 standard units.
- Various changes to "Additional Benchmarks and Sampling Requirements Applicable to Specific Industries". See Permit for new benchmarks and parameters.

#### 4. Condition S6. Discharges to 303(d)-Listed Waters

Numeric effluent limits now apply to facilities with discharges to 303(d)-listed impaired waterbodies (Category 5). Compliance schedules are available. See Permit for details.

#### 5. Condition S7. Inspections

Qualified personnel conduct and document visual inspections of the site monthly. Dry season and annual comprehensive inspection eliminated.

#### 6. Condition S8. Corrective Actions

Level 2 and 3: Permittees that exceed benchmark value (for a single parameter) for any two quarters during a calendar year complete a Level 2 Corrective Action (Structural Source Control BMPs). Permittees that exceed benchmark value (for a single parameter) for any three quarters during a calendar year complete a Level 3 Corrective Action (Treatment BMPs).

• Revise SWPPP/complete installation by September 30<sup>th</sup> the following year. Time extensions/waivers may be requested. All corrective actions documented in Annual Report; Level 2/3 Source Control Reports eliminated.

A licensed professional engineer, geologist, hydrogeologist, or certified professional in storm water quality (CPSWQ) must design and stamp the portion of the SWPPP that addresses (Level 3) stormwater treatment structures or processes. May be waived on a case-by-case basis.

#### 7. Condition S9. Reporting

S9. All Permittee must submit an Annual Report to the Department of Ecology no later than May 15<sup>th</sup> of each year (except 2010). Level 1, 2, and 3 corrective actions are summarized in Annual Report.

Saturday Delivery
Service not available to
all locations. d On Time i PowerShip<sup>a</sup> automated ship-y the PowerShip Placement an the shipper and FedEx, and n effect on the date of ship-FITTOILION

See a second of the second of th i, toll-trae at 1-800-Go-FedEx NEWFedEx First Overnight" FedEx International Services Earliest nex business morning delivery Schaduled delivery times vary by tocation. P 7514 sight Limit: 8 Ounces TUE - 08DEC A5 STANDARD OVERNIGHT 98503 WA-US SEA PCS 81375 Ref # GRS-Environmental Invoice # PO # Dept # TRK# 7981 9909 7514 Extremely Urgent: Fedex Priority Overnight® Fedex Standard Overnight® Recipient please hand deliver Nathaninas moning service (not available to all locations). AIRBILL NO. Fed Ш BILL SENDER 300 DESMOND DR SE ATTN: APPEALS COORDINATOR LACEY, WA 98503 From County SNOA TOTAL STATES SHIP TO: (360) 407-6000 Department of Ecology One Centerpointe Drive Suite 200 Lake Oswego, OR 97035 ROUTING CODE